

Section 1435 - Snowmobiles, Motorcycles, All Terrain Vehicles

1435.01 Supplementary Provisions. The provisions of this Section are supplementary to those in M.S. Chapter 84, M.S. Chapter 169 and Section 1400 of this Code. If any provisions of this Section are inconsistent with the provisions of M.S. Chapter 84 or the rules adopted thereunder, M.S. Chapter 169 and Section 1400 of this Code, then the provisions of M.S. Chapter 84 or the rules adopted thereunder, M.S. Chapter 160, and Section 1400 of this Code shall control.

1435.02 Definitions. Unless the context clearly indicates otherwise, the following words have the meanings given in this Subsection:

All Terrain Vehicle (ATV). A motorized flotation-tired vehicle of not less than three low pressure tires, but not more than six tires, that is limited in engine displacement of not less than 800 cubic centimeters and total dry weight less than 600 pounds.

Motorcycle. A self-propelled vehicle having a saddle for use of the rider and designed to travel on not more than three wheels in contact with the ground. The term includes motor scooter, motor bike and motor bicycle but does not include tractors, earth moving equipment or lawn mowers.

Snowmobile. A self-propelled vehicle designed for travel on snow or ice steered by skis or runners.

1435.03 Places Where Prohibited. No person may operate an ATV, motorcycle or snowmobile in the following places:

Subd. 1 **Private Property.** On private property except with the written permission of the owner or lawful occupant.

Subd. 2 **Public Property.** On streets, highways, alleys, sidewalks, parks, playgrounds, school grounds or any other property owned by the public or subject to an easement held by the public, provided, however, (i) properly licensed motorcycles may be operated on streets and highways subject to the provisions of M.S. Chapter 169 and Section 1400 of this Code; (ii) golf carts may be operated on golf courses and (iii) snowmobiles and all-terrain vehicles may be operated in parks and on other property owned by the City, excluding streets and sidewalks, for maintenance and other public purposes but not for recreational use, with the permission of the City Manager or Park Director, and (iv) snowmobiles and all-terrain vehicles may be operated on school grounds and on other property owned by a school district for maintenance and other public purposes but not for recreational purposes with the permission of the School Superintendent or the Building and Grounds Supervisor.

Subd. 3 **Public Waters.** On any public waters, as defined in M.S. 103G.005, within the jurisdiction of the City.

1435.04 Exception. Motorized golf carts or four-wheel ATVs may be operated by physically disabled persons as defined by M.S. 169.345, Subd. 2, subject to a permit issued pursuant to this Subsection.

Subd. 1 **Application.** An application for a permit shall be submitted to the Police Chief on forms provided by the Police Chief. The application shall include:

- A. The name, address and telephone number of the applicant.
- B. A certificate of insurance in accordance with M.S. 65B.48, Subd. 5.
- C. The certificate required by M.S. 169.345, Subd. 2A, certifying that the applicant is a physically disabled person.
- D. A certificate signed by a physician that the applicant is able to safely operate a motorized golf cart or four-wheel ATV on the roadways designated by this Subsection.
- E. The make, model, and license number of the motorized golf cart or four-wheel ATV proposed for use by the applicant.

Subd. 2 **Term of Permit.** The term of the permit shall be one year from the date of issuance.

Subd. 3 **Designated Roadways.** Motorized golf carts or four-wheel ATVs may be operated by a physically disabled person who has a current permit issued pursuant to this Subsection only on the following roadways:

- A. Sidewalks, trails, and alleys.
- B. Private property.
- C. The traveled portion of streets, except those designated by the Comprehensive Plan as collectors or arterials.

History: Ord 1433 codified 1970; amended by Ord 2010-21, 12-21-2010

Reference: M.S. 65B.48, 84, 169

Cross Reference: Section 1400